

Notice of Allowability

Application No.

10/685,927

Examiner

Hugh B. Thompson II

Applicant(s)

BAKER, WILLIAM H.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application as filed and Telephone Interview of 12-13-04.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 23 August 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 10-15-03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12-13-04
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

HUGH B. THOMPSON II
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. James Harvey on December 13, 2004.

The application has been amended as follows:

IN THE ABSTRACT:

Line 1, "The invention provides an" has been changed to --An--.

IN THE SPECIFICATION:

Page 10, line 6, "FIG. 4 is a view", has been changed to --FIGS. 4A-4F are views--.

IN THE CLAIMS:

Claim 1, line 10, after "to", --a respective-- has been inserted.

Claim 1, line 14, "the planes" has been changed to --planes--.

Claim 1, line 15, "rear" has been deleted.

Claim 1, line 22, " a rear leg", has been changed to --one of the legs--.

Claim 1, line 22, "the vertical" has been changed to --a vertical--.

Claim 1, lines 22-23, "the leg brace, the leg" has been changed to --the respective leg brace, the respective leg--.

Claim 1, line 24, "the vertical" has been changed to --a vertical--.

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Claim 1, line 25, "the plane" has been changed to --a plane--.

Claim 1, line 26, "with" has been changed to --with respect to--.

Claim 2, line 3, "a lower" has been changed to --the lower--.

Claim 3, line 2, "the uppermost" has been changed to --an uppermost--.

Claim 4, line 2, "connected" has been changed to --connected to--.

Claim 8, line 10, and claim 17, line 9, "by a" has been deleted, and "lever" has been changed to --lever,--.

Claim 9, line 4, "the lower" has been changed to --a lower--.

Claim 13, line 3, "the highest" has been changed to --a highest--.

Claim 13, line 4, "the lowest" has been changed to --a lowest--.

Claim 17, line 3, "the engagement locking hole" has been changed to --one of the engagement locking holes--.

Claim 17, line 7, "the locking hole" has been changed to --one of the locking holes--.

Claim 17, lines 8-9, "the engagement locking hole" has been changed to --one of the engagement locking holes--.

Claim 17, line 10, "the engagement" has been changed to --the respective engagement--.

The following is an examiner's statement of reasons for allowance: for claim 1, it is the inclusion of the center post depending from the top cap of the step assembly, the two rear legs

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pivotally connected to the vertically sliding collar that is journaled on the center post, the sliding collar pivotally connected to the A-brace, the A-brace pivotally connected to the step assembly, and means on the sliding collar for maintaining planes of extension for the legs and the step assembly at equal radial angles. For claim 14, it is the inclusion of the structure of the center post, sliding collar and A-brace as recited above, in addition to a stop block journaled on the center post and resting on a horizontal flange at the lower end of the center post, and the collar having three housings that each pivotally and respectively receive 1st and 2nd leg braces attachable to the respective rear legs, and the A-brace. The prior art of record fails to teach or suggest the claimed features absent the applicant's own disclosure.

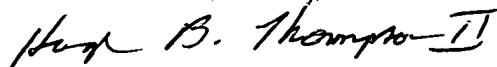
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hugh B. Thompson II whose telephone number is (703) 305-0102. The examiner can normally be reached on Monday thru Friday 9 am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (703) 308-0827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hugh B. Thompson II
Primary Examiner
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December 13, 2004
